Amendments to the Claims

The listing of claims will replace all prior versions, and listings of claims in the application.

1. (Currently amended) An aqueous formulation comprising:

a. a block copolymer;

b. a polyethylene glycol (PEG); ~~and~~

c. 2,6-diisopropylphenol;

d. propylene glycol; and

e. water.

2-9. (Canceled)

10. (New) The formulation of claim 1, wherein the total amount of said block copolymer is less than about 10% (w/v) of said formulation.

11. (New) The formulation of claim 10, wherein the total amount of said block copolymer is from about 5% to about 10% (w/v) of said formulation.

12. (New) The formulation of claim 11, wherein the total amount of said block copolymer is from about 6% to 8% (w/v) of said formulation.

13. (New) The formulation of claim 1, wherein said block copolymer is a poloxamer.

14. (New) The formulation of claim 13, wherein said poloxamer is selected from the group consisting of poloxamer 124, poloxamer 188, poloxamer 237, poloxamer 338, and poloxamer 407.

15. (New) The formulation of claim 14, wherein said poloxamer is poloxamer 188.

16. (New) The formulation of claim 1, wherein the amount of 2,6-diisopropylphenol is at least 1% (w/v) of said formulation.

17. (New) The formulation of claim 1, wherein the amount of 2,6-diisopropylphenol is up to 10% (w/v) of said formulation.

18. (New) The formulation of claim 17, wherein the amount of 2,6-diisopropylphenol is from 1% to 5% (w/v) of said formulation.

19. (New) The formulation of claim 18, wherein the amount of 2,6-diisopropylphenol is between about 1-2% (w/v) of said formulation.

20. (New) The formulation of claim 19, wherein the amount of 2,6-diisopropylphenol is about 1% (w/v) of said formulation.

21. (New) The formulation of claim 1, wherein the total amount of PEG is up to 15% (w/v) of said formulation.

22. (New) The formulation of claim 21, wherein the total amount of PEG is not greater than about 10% (w/v) of said formulation.

23. (New) The formulation of claim 22, wherein the total amount of PEG is less than about 5% (w/v) of said formulation.

24. (New) The formulation of claim 22, wherein the total amount of PEG is between about 2% and about 6% (w/v) of said formulation.

25. (New) The formulation of claim 24, wherein the total amount of PEG is between about 2% and 4% (w/v) of said formulation.

26. (New) The formulation of claim 25, wherein the total amount of PEG is between about 3 and 4% (w/v) of said formulation.

27. (New) The formulation of claim 1, wherein said PEG is selected from the group consisting of PEG-300, PEG-400, PEG-600, PEG-800, and PEG-1000.

28. (New) The formulation of claim 27, wherein said PEG is PEG-400.

29. (New) The formulation of claim 1, wherein the amount of propylene glycol is not more than 5% (w/v) of said formulation.

30. (New) The formulation of claim 29, wherein the amount of propylene glycol is not more than 2% (w/v) of said formulation.

31. (New) The formulation of claim 30, wherein the amount of propylene glycol is 1% or 2% (w/v) of said formulation.

32. (New) The formulation of claim 1, wherein said formulation further comprises citric acid or a salt thereof.

33. (New) The formulation of claim 32, wherein said formulation comprises citric acid at a concentration between about 2.5 and 15 mM.

34. (New) The formulation of claim 32, wherein said formulation comprises citric acid in an amount of about 2 mg/ml.

35. (New) The formulation of claim 1, wherein said formulation further comprises an antimicrobial agent.

36. (New) The formulation of claim 35, wherein said antimicrobial agent is selected from the group consisting of disodium edetate, metabisulfate, benzyl alcohol, cysteine or a salt thereof, and EDTA.

37. (New) The formulation of claim 36, wherein said antimicrobial agent is benzyl alcohol in the amount of up to 0.5% (w/v) of said formulation.

38. (New) The formulation of claim 1, wherein said block copolymer is poloxamer 188 and said PEG is PEG-400.

39. (New) The formulation of claim 38, wherein poloxamer 188 is present in an amount between 6 and 8% (w/v) of said formulation; PEG-400 is present in an amount between 2 and 4% (w/v) of said formulation; propylene glycol is present in an amount not greater than 2% (w/v) of said formulation; and 2,6-diisopropylphenol is present in an amount between 1 and 2% (w/v) of said formulation.

40. (New) The formulation of claim 38, wherein poloxamer 188 is present in an amount of about 8% (w/v) of said formulation; PEG-400 is present in an amount of about 4% (w/v) of said formulation; propylene glycol is present in an amount of about 1% (w/v) of said formulation; and 2,6-diisopropylphenol is present in an amount of about 1% (w/v) of said formulation.

41. (New) The formulation of claim 38, wherein poloxamer 188 is present in an amount of about 8% (w/v) of said formulation; PEG-400 is present in an amount of about 3% (w/v) of said formulation; propylene glycol is present in an amount of about 1% (w/v) of said formulation; and 2,6-diisopropylphenol is present in an amount of about 1% (w/v) of said formulation.

42. (New) The formulation of claim 38, wherein poloxamer 188 is present in an amount of about 7% (w/v) of said formulation; PEG-400 is present in an amount of about 4% (w/v) of said formulation; propylene glycol is present in an amount of about 1% (w/v) of said formulation; and 2,6-diisopropylphenol is present in an amount of about 1% (w/v) of said formulation.

43. (New) The formulation of claim 38, wherein poloxamer 188 is present in an amount of about 7% (w/v) of said formulation; PEG-400 is present in an amount of about 3% (w/v) of said formulation; propylene glycol is present in an amount of about 1% (w/v) of said formulation; and 2,6-diisopropylphenol is present in an amount of about 1% (w/v) of said formulation.

44. (New) The formulation of claim 38, wherein poloxamer 188 is present in an amount of about 6% (w/v) of said formulation; PEG-400 is present in an amount of about 4% (w/v) of said formulation; propylene glycol is present in an amount of about 1% (w/v) of said formulation; and 2,6-diisopropylphenol is present in an amount of about 1% (w/v) of said formulation.

45. (New) The formulation of claim 38, wherein poloxamer 188 is present in an amount of about 6% (w/v) of said formulation; PEG-400 is present in an amount of about 4% (w/v) of said formulation; propylene glycol is present in an amount of about 2% (w/v) of said formulation; and 2,6-diisopropylphenol is present in an amount of about 1% (w/v) of said formulation.

46. (New) The formulation of claim 38, wherein poloxamer 188 is present in an amount of about 6% (w/v) of said formulation; PEG-400 is present in an amount of about 6% (w/v) of said formulation; propylene glycol is present in an amount of about 1% (w/v) of said formulation; and 2,6-diisopropylphenol is present in an amount of about 1% (w/v) of said formulation.

47. (New) The formulation of claim 38, wherein poloxamer 188 is present in an amount of about 8% (w/v) of said formulation; PEG-400 is present in an amount of about 2% (w/v) of said formulation; propylene glycol is present in an amount of about 1% (w/v) of said formulation; and 2,6-diisopropylphenol is present in an amount of about 1% (w/v) of said formulation.

48. (New) The formulation of claim 38, wherein poloxamer 188 is present in an amount of about 7% (w/v) of said formulation; PEG-400 is present in an amount of about 2% (w/v) of said formulation; propylene glycol is present in an amount of about

1% (w/v) of said formulation; and 2,6-diisopropylphenol is present in an amount of about 1% (w/v) of said formulation.

49. (New) An aqueous formulation, comprising:

a. a block copolymer in an amount of less than about 10% (w/v) of said formulation;

b. a polyethylene glycol in an amount of between about 2% and 4% (w/v) of said formulation;

c. 2,6-diisopropylphenol; and

d. water.

50. (New) The formulation of claim 49, wherein said block copolymer is poloxamer 188, present in an amount of between about 5% to about 9% (w/v) of said formulation; and said polyethylene glycol is PEG-400, present in an amount of between about 2% and 4% (w/v) of said formulation.

51. (New) The formulation of claim 50, wherein poloxamer 188 is present in an amount of about 8% (w/v) of said formulation; PEG-400 is present in an amount of about 4% (w/v) of said formulation; and 2,6-diisopropylphenol in an amount of about 1% (w/v) of said formulation, wherein said formulation is substantially free of propylene glycol.

52. (New) The formulation of claim 50, wherein poloxamer 188 is present in an amount of about 8% (w/v) of said formulation; PEG-400 is present in an amount of about 3% (w/v) of said formulation; and 2,6-diisopropylphenol is present in an amount of about 1% (w/v) of said formulation, wherein said formulation is substantially free of propylene glycol.

53. (New) The formulation of claim 50, wherein poloxamer 188 is present in an amount of about 7% (w/v) of said formulation; PEG-400 is present in an amount of about 4% (w/v) of said formulation; and 2,6-diisopropylphenol is present in an amount of about 1% (w/v) of said formulation, wherein said formulation is substantially free of propylene glycol.

54. (New) The formulation of claim 50, wherein poloxamer 188 is present in an amount of about 7% (w/v) of said formulation; PEG-400 is present in an amount of about 3% (w/v) of said formulation; and 2,6-diisopropylphenol is present in an amount of about 1% (w/v) of said formulation, wherein said formulation is substantially free of propyelene glycol.

55. (New) The formulation of claim 50, wherein poloxamer 188 is present in an amount of about 9% (w/v) of said formulation; PEG-400 is present in an amount of about 2% (w/v) of said formulation; and 2,6-diisopropylphenol is present in an amount of about 1% (w/v) of said formulation.

56. (New) The formulation of claim 50, wherein poloxamer 188 is present in an amount of 8% (w/v) of said formulation; and PEG-400 is present in an amount of 2% (w/v) of said formulation.

57. (New) The formulation of claim 50, wherein poloxamer 188 is present in an amount of 7% (w/v) of said formulation; and PEG-400 is present in an amount of 2% (w/v) of said formulation.

58. (New) The formulation of claim 49, further comprising citric acid or a salt thereof.

59. (New) The formulation of claim 58, wherein said formulation comprises citric acid at a concentration between about 2.5 and 10 mM.

60. (New) The formulation of claim 49, further comprising an antimicrobial agent.

61. (New) The formulation of claim 60, where said antimicrobial agent is benzyl alcohol.

62. (New) The formulation of claim 1 or claim 49, wherein said formulation further comprises polysorbate.

63. (New) The formulation of claim 62, wherein 2,6-diisopropylphenol is present in an amount of about 0.5 to about 2.4 percent (w/v) of said formulation; polyoxyethylene 20 sorbitan monooleate is present in an amount of about 0.5 to about 15 percent (w/v) of said formulation; propylene glycol is present in an amount of about 0.5 to about 15 percent (w/v) of said formulation; PEG-400 is present in an amount of about 1 to about 20 percent (w/v) of said formulation; and poloxamer 188 is present in an amount of about 2 to about 15 percent (w/v) of said formulation.

64. (New) The composition of claim 1 or claim 49, wherein said block copolymer is purified poloxamer, wherein said purified poloxamer has a polydispersity value of between about 5 and 1, about 4 and 1, about 3 and 1, about 2 and 1, or about 1.1 and 1.

65. (New) The formulation of claim 1, wherein said block copolymer is poloxamer 237.

66. (New) An aqueous formulation, consisting essentially of:

a. a block copolymer in an amount of less than about 10% (w/v) of said formulation;

b. a polyethylene glycol in an amount of between about 2% and about 6% (w/v) of said formulation;

c. 2,6-diisopropylphenol;

d. water;

e. optionally citric acid or a salt thereof; and

f. optionally an antimicrobial agent.

67. (New) The formulation of claim 66, wherein said formulation comprises citric acid.

68. (New) The formulation of claim 66, wherein said formulation comprises an antimicrobial agent.

69. (New) The formulation of claim 66, wherein poloxamer 188 is present in an amount of about 6% (w/v) of said formulation; PEG-400 is present in an amount of about 6% (w/v) of said formulation; and 2,6-diisopropylphenol in an amount of about 1% (w/v) of said formulation, wherein said formulation is substantially free of propylene glycol.

70. (New) The formulation of claim 66, wherein poloxamer 237 is present in an amount of about 3% (w/v) of said formulation; PEG-400 is present in an amount of about 6% (w/v) of said formulation; and 2,6-diisopropylphenol is present in an amount of about 1% (w/v) of said formulation.

71. (New) A lipid-free microemulsion, comprising:

a. a block copolymer;

b. a polyethylene glycol (PEG);

c. 2,6-diisopropylphenol;

d. propylene glycol; and

e. water.

72. (New) An aqueous formulation, comprising:

a. a block copolymer in an amount of less than about 10% (w/v) of said formulation;

b. a polyethylene glycol in an amount of between about 2% and 4% (w/v) of said formulation;

c. 2,6-diisopropylphenol; and

d. water;

wherein said formulation has an average particle size of less than about 65 nanometers.

73. (New) A method of inducing or maintaining anesthesia in a mammal, comprising administering to said mammal an amount of a formulation as claimed in any one of claims 1, 49 or 66 effective to induce or maintain anesthesia.

74. (New) A multi-use container, comprising the formulation as claimed in any one of claims 1, 49, or 66.